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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,186	02/14/2002	Hideo Nanba	57100 (72012)	7646
21874	7590	01/20/2006	EXAMINER	
EDWARDS & ANGELL, LLP			WILSON, ROBERT W	
P.O. BOX 55874			ART UNIT	
BOSTON, MA 02205			PAPER NUMBER	
			2661	

DATE MAILED: 01/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/069,186

Applicant(s)

NANBA, HIDEO

Examiner

Robert W. Wilson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 1-3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/29/04 & 6/5/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Objections

1. Claims 1-3 are objected to because of the following informalities:

Referring to claims 1-3, the examiner objects to the usage of “characterized by comprising”.

Usage of both “characterized by and “comprising” is redundant. The examiner suggests that the applicant delete “characterized by” and only use “comprising”.

Referring to claims 1-3, the examiner objects to the usage of “the communication state between the terminals at the present viewed from the corresponding terminal from the designated terminal” when also used with “for its own terminal or not” because it is confusing. The examiner suggests claim clearly define the interaction between the terminal being corresponded with a request to provide the present communication state of the terminals that it is interconnected. The applicant must also amend the claim to clearly define that the corresponded terminal determines if the request is for it or for another terminal

Referring to claim 3, the examiner objects to the phrase “ the step of receiving a request of topology maps which is bit field data”. The examiner believes that the applicant is making a request for not of. The examiner suggests “the step of receiving a request for the topology map”
Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Haartsen (U.S. Patent No.: 6,590,928).

Referring to claim 1, Haartsen teaches: master unit and slave unit or radio communication apparatus which dynamically keeps track of list of which masters and their associated slaves can intercommunicate or seizes the state between a plurality of mobile terminals which is shown in Fig 12. The masters and slaves in the radio network shown in Fig 12 dynamically vary in which of them can intercommunicate because they are constantly moving thus changing their paths and communication state as shown in Fig 12.

1211 per Fig 12 is the means that holds address and topology list or constituent terminal list and the addresses are the identifiers of the terminals.

The applicant broadly claims "sequentially designating terminals". 1211 per Fig 12 is the means for designating terminals by their address which the examiner interprets as sequentially designating.

1209 per Fig 12 is the means for inquiry or requesting the address of a slave or master as well as an address list which inherently is a bit field data which has been formed on the basis of intercommunication between the devices or communication state which is from the view point of terminal corresponding with the master terminal which are designated as intercommunicating with the corresponding terminal per col. 7 lines 6-48.

The antenna and 1217 per Fig 12 are the means for receiving the request for the address and address list or topology map as shown in Fig 12.

1217 per Fig 12 is means for determining if the address requested request for the address by the master is for its own terminal or not for its own terminal as shown in Fig 12.

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1217 per Fig 12 is means for responding to the inquiry or request for the address list or topology map which has been gathered from the view point of its own terminal as shown in Fig 12.

1217 per Fig 12 is means for responding to the request of the address list which is not for its own terminal

1217 per Fig 12 provides the means for receiving an inquiry for an address which is not for its own terminal. 1217 per Fig 12 provides the means for passing on the request to another master node. 1217 per Fig 12 provides the means for receiving an address list or topology list from the other master node wherein the address list or topology map reflects the address list or topology map data on the intercommunication between devices or communication state per per col. 7 lines 10-17.

Referring to claim 2, Haartsen teaches: master unit and slave unit or radio communication apparatus which performs the method of dynamically keeping track of list of which masters and their associated slaves can intercommunicate or seizes the state between a plurality of mobile terminals which is shown in Fig 12. The masters and slaves in the radio network shown in Fig 12 dynamically vary in which of them can intercommunicate because they are constantly moving thus changing their paths and communication state as shown in Fig 12.

1211 per Fig 12 is the means that performs the step of holding address and topology list or constituent terminal list and the addresses are the identifiers of the terminals.

The applicant broadly claims “sequentially designating terminals”. 1211 per Fig 12 is the means that performs the step of designating terminals by their address which the examiner interprets as sequentially designating.

1209 per Fig 12 is the means which performs the step of inquiry or requesting the address of a slave or master as well as an address list which inherently is a bit field data which has been formed on the basis of intercommunication between the devices or communication state which is from the view point of terminal corresponding with the master terminal which are designated as intercommunicating with the corresponding terminal per col. 7 lines 6-48 which the examiner

The antenna and 1217 per Fig 12 are the means for performing the step of receiving the request for the address and address list or topology map which inherently stores the communication state as shown in Fig 12.

Referring to claim 3, Haartsen teaches: master unit and slave unit which performs the radio communication method by dynamically keeps track of list of which masters and slaves or mobile terminals intercommunication or the state between a plurality of mobile terminals at the present which is shown in Fig 12. The masters and slaves in the radio network shown in Fig 12 dynamically vary in which of them can intercommunicate with each other because they are constantly moving thus changing their paths and communication state as shown in Fig 12.

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1211 per Fig 12 is the means which performs the step of holding the addresses and topology list or constituent terminal list where the addresses are the identifiers of the terminals.

1217 per Fig 12 are the means for receiving the request for the address and address list or topology map which inherently is bit field data which represents intercommunication state between the terminals in the present which is viewed from the view point of the corresponding terminal as shown in Fig 12.

1217 per Fig 12 is means for performing the step of deciding request for determining if the address requested request for the address for its own terminal or not for its own terminal as shown in Fig 12.

1217 per Fig 12 is means for performing the step of responding to the inquiry or request for the address list or topology map which has been gathered from the view point of its own terminal as shown in Fig 12.

1217 per Fig 12 is means for performing the step responding to the request of the address list which is not for its own terminal. 1217 per Fig 12 provides the means for performing the step receiving an inquiry for an address which is not for its own terminal. 1217 per Fig 12 provides the means for performing the step of passing on the request to another master node or slave node. 1217 per Fig 12 provides the means for performing the step of receiving an address list or topology list from the other master node or slave node wherein the address list or topology map reflects the address list or topology map data on the intercommunication between devices or communication state per col. 7 lines 10-17.

Conclusion


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Wilson whose telephone number is 571/272-3075.

The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on 571/272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).




Robert W Wilson

Examiner

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RWW
1/12/06



BOB PHUNKULH
PRIMARY EXAMINER